

FRIDAY, APRIL 13, 2007 pages 20 to 21

RECORD COPY

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m.
2. **ROLL CALL.** Present: Achadjian, Blank, Burke, Clark, Neely, Reilly, Shallenberger, Wan, Krueer, Kram. Potter and Hueso arrived at 9:05 a.m. Absent: Chrisman, Thayer

## NORTH COAST DISTRICT

3. **DEPUTY DIRECTOR'S REPORT.** District Manager Merrill reported on items not requiring public hearing.
4. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item (6a) to the expanded consent calendar and recommended approval with special conditions.

**Motion & Vote:** Vice-Chair Neely moved to approve per staff recommendation, seconded by Reilly and Chairman Krueer ruled that the vote was unanimous. Passed.

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## 5. NEW APPEALS.

- a. **Appeal No. A-1-MEN-06-52 (Redwood Coast Land Conservancy, Mendocino Co.)** Staff recommended that the appeal raised **substantial issue**. There being no objection, Chairman Krueer ruled that the Commission **found substantial issue**. Chairman Krueer opened the hearing on the merits of the project. Staff recommended approval with special conditions.

**Motion & Vote:** Vice-Chair Neely moved to approve per staff recommendation, seconded by Reilly and recommended a yes vote. Chairman Krueer ruled that the vote was unanimous. Passed.

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## 6. COASTAL PERMIT APPLICATIONS.

- a. **Application No. 1-06-49 (Humboldt County Department of Public Works)** was moved by staff to the expanded consent calendar. **Approved.**

6.5. PERMIT AMENDMENTS.

- a. Application No. 1-90-104-A2 (City of Eureka) Postponed.
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STATEWIDE

7. **FEDERAL CONSISTENCY REPORT.** District Manager Merrill reported on items not requiring public hearing.
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8. **FEDERAL CONSISTENCY.**

- a. **CD-013-07 (Corps of Engineers, Statewide)** Staff recommended objection to the consistency certification.

**Motion & Vote:** Reilly moved to concur with the applicant and recommended a no vote, seconded by Achadjian. Chairman Kruer ruled that the vote was unanimous. **Denied.**

**ADJOURNMENT.** There being no old or new business, the meeting adjourned at 9:40 a.m.

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## CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE

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July 13, 2007

Dave Scholz, Project Manager  
Redwood Coast Land Conservancy  
P.O. Box 1511  
Gualala, CA 95445

SUBJECT: Coastal Development Permit No. A-1-MEN-06-052

Dear Mr. Scholz:

We have reviewed the information you submitted to satisfy the requirements of Special Condition No. 3 (Revised Management Plan) and Special Condition No. 4 (Caltrans Encroachment Permit) of the above referenced permit and have determined that this information satisfies the requirements of the prior to permit issuance conditions. Therefore, we are hereby issuing the permit.

The information submitted pursuant to the requirements of Special Condition No. 3 and Special Condition No. 4 includes, respectively, (1) a revised management plan entitled "*Management Plan – Hearn Gulch Headlands Preservation and Public Access*" dated May 2007, and (2) an Encroachment Permit issued by Caltrans dated June 26, 2007 (Permit No. 0104-N-RC-0528). Additionally, we understand that Mendocino County does not need to grant any further approvals for the project as thus, no further action is required to satisfy Special Condition No. 5 of the permit.

The original and a copy of Coastal Development Permit No. A-1-MEN-06-052 are enclosed. Please sign the original and forward the original to our Eureka office. You should retain the copy for your records. Once we have received the signed original, the permit will be fully effective.

As always, feel free to contact me at (707) 445-7833 or [ttauber@coastal.ca.gov](mailto:ttauber@coastal.ca.gov) if you have any questions. Thank you for your continued cooperation during the review and processing of the coastal development permit.

Sincerely,

Tiffany S. Tauber  
Coastal Planner

Enclosures

cc: Rick Miller, Mendocino County Planning



**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
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Page: 1

Date: July 13, 2007

Permit Application No. A-1-MEN-06-052

**COASTAL DEVELOPMENT PERMIT**

On April 13, 2007, the California Coastal Commission granted to

**Redwood Coast Land Conservancy**

this permit subject to the attached Standard and Special conditions, for development consisting of

**Develop public access facilities by (1) improving two existing trails for public access use, (2) installing a vehicle barrier adjacent to the existing informal gravel pullout, and (3) installing fencing and informational signs**

more specifically described in the application filed in the Commission offices.

The development is within the coastal zone at

**29720 - 29800 South Highway One (approximately 5 miles south of Point Arena),  
Mendocino County (APN(s) 142-010-03, 142-010-04, 142-010-05, 142-010-06,  
142-010-07.**

Issued on behalf of the California Coastal Commission by

PETER M. DOUGLAS  
Executive Director

By: Tiffany S. Tauber  
Coastal Planner

**ACKNOWLEDGMENT:**

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

The undersigned permittee acknowledges that Government Code Section 818.4 which states in pertinent part that: "A Public entity is not liable for injury caused by the issuance. . . of any permit. . ." applies to the issuance of this permit.

**IMPORTANT: THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. 14 Cal. Admin. Code Section 13158(a).**

July 18, 2007  
Date

David W. Scholz for Redwood Coast  
Signature of Permittee Land Conservancy

Date: July 13, 2007

Permit Application No.: A-1-MEN-06-052

## COASTAL DEVELOPMENT PERMIT

### STANDARD CONDITIONS:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

### SPECIAL CONDITIONS:

1. **Botanical Monitor During Project Implementation**

A qualified botanical surveyor familiar with all of the sensitive plant species found on the property, including: *Agrostis blasdalei* (Blasdale's bent grass), *Calystegia purpurata ssp. saxicola* (coastal bluff morning-glory), *Gilia capitata ssp. pacifica* (Pacific gilia), and *Sidalcea malviflora ssp. purpurea* (purple-stemmed checkerbloom), shall monitor all project activities, including trail improvements and installation of fences and signs, to minimize adverse impacts to sensitive plants, such as trampling by volunteers, during construction of the proposed project.

2. **Future Development Restrictions**

This permit is only for the development described in Coastal Development Permit No. A-1-MEN-06-052. Any future improvements to the public access facilities, including, but not limited to, installation of additional informational signs or fencing, changes in the location and/or alignment of trails, or construction of new trails or parking facilities, will require a permit amendment or a new coastal development permit.



Date: July 13, 2007

Permit Application No.: A-1-MEN-06-052

## COASTAL DEVELOPMENT PERMIT

### 3. Revised Management Plan

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, a public access management plan that substantially conforms with the plan entitled "Redwood Coast Land Conservancy Hearn Gulch Headlands Preservation and Public Access Management Plan" dated July 2006, but is revised to accurately reflect the public access improvements authorized by CDP No. A-1-MEN-06-052. The applicant shall demonstrate that the revised plan has been reviewed and approved by Mendocino County.
- B. The permittee shall undertake development in accordance with the approved final public access management plan. Any proposed changes to the approved final public access management plan shall be reported to the Executive Director. No changes to the approved final public access management plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

### 4. Caltrans Encroachment Permit

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit to the Executive Director a copy of the final, approved Encroachment Permit issued by Caltrans for the installation of the bollard and chain vehicle barrier partially located within areas of Caltrans right-of-way, or evidence that no permit is required. The applicant shall inform the Executive Director of any changes to the project required by Caltrans. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.

### 5. County Use Permit

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit to the Executive Director a copy of a new, or amended Conditional Use Permit approved by the County of Mendocino for the development authorized by CDP No. A-1-MEN-06-052, or evidence from the County that a Conditional Use Permit or permit amendment is not required. The applicant shall inform the Executive Director of any changes to the project required by the County. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.

### 6. Conditions Imposed By Local Government

This action has no effect on conditions imposed by a local government pursuant to an authority other than the Coastal Act.